

REMARKS

Applicants acknowledge, with appreciation, the Examiner's indication that claims 7-10 contain allowable subject matter. Claims 7-10 are currently pending, with claim 7 being the only independent claim. Claim 7 has been amended. Support for the amendment to claim 7 may be found, for example, at pg. 5, lines 17-21 of the application as originally filed. No new matter has been added. Reconsideration of the application, as amended, is requested.

Independent claim 7, and dependent claims 8-10 were rejected under 35 U.S.C. §101 as directed to non-statutory subject matter. For the following reason, reconsideration and withdrawal of the rejection is respectfully requested.

The Examiner (pg. 2 of the Office Action) states that:

The claims fail to include transformation from one physical state to another. Although, the claims appear useful and concrete, there does not appear to be tangible result claimed. Merely recite tapping, inserting, evaluating and determining steps would not appear to be sufficient to constitute a tangible result, since the outcome of these steps has not been used in a disclosed practical application nor made available in such a manner that its usefulness in a disclosed practical application can be realized. As such, the subject matter of the claims is not patent eligible. Further, **the tangible result of function performed, such as the presenting/outputting of the result for use in the practical application should be provided and the result of this is conveyed to the useful manner.**

In response to the foregoing, independent claim 1 has been amended to recite the steps of “determining whether the Q-factor of the vibration gyro is sufficiently high by determining whether the Q-factor is above a threshold value; and triggering a fault signal if the Q-factor of the vibration gyro is below the threshold value, thereby indicating that said Q-factor is insufficiently high”. Support for this amendment may found, for example, at pg. 5, lines 17-21 of the originally filed specification. No new matter has been added. Independent claim 7 has been therefore amended such that it is limited to a practical application that produces a useful, tangible and concrete

result. In view of the foregoing, independent claim 7 as now amended is statutory and, thus reconsideration and withdrawal of the rejection under 35 U.S.C. §101 are in order, and a notice to that effect is requested.

In view of the patentability of independent claim 7, for the reason set forth above, dependent claims 8-10 are all patentable.

Applicants respectfully submit that this application is in condition for allowance, and such action is respectfully requested.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
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